



06 September 2000

Attachment to:

Illinois Commerce Commission Application for Certificate to Become a Telecommunications Carrier.

2. Authority Requested: (Mark all that apply)

_____ 13-403 _____ 13-404 _____ 13-405

None. We do not know how the application of these codes applies to Internet services.

3. Request for waivers/variances: In applications for exchange service authority under Sections 13-404 or 13-405, waivers of Part 710 and of Section 735.180 of Part 735 are generally requested. In applications for interexchange service authority under Sections 13-403 and 13-404, waivers of Part 710 and Part 735 are generally requested. Please indicate which waivers Applicant is requesting.

_____ Part 710 _____ Part 735 _____ Section 735.180 _____ Other

None. We do not know how the application of these Parts/Sections apply to Internet services.

5. Please attach a sheet designating contact persons to work with Staff on the following:

a) issues related to processing this application

- i) Tom Mayer
- ii) Secretary
- iii) 723 West Church Street, Box 368, Sandwich, Illinois 60548-0368
- iv) 815.786.7804
- v) 815.786.1805
- vi) tom.mayer@bmtillinois.com

b) consumer issues

- i) Tom Mayer
- ii) Secretary
- iii) 723 West Church Street, Box 368, Sandwich, Illinois 60548-0368
- iv) 815.786.7804
- v) 815.786.1805
- vi) tom.mayer@bmtillinois.com

c) customer complaint resolution

- i) Tom Mayer
- ii) Secretary
- iii) 723 West Church Street, Box 368, Sandwich, Illinois 60548-0368
- iv) 815.786.7804
- v) 815.786.1805
- vi) tom.mayer@bmtillinois.com

d) *technical and service quality issues*

- i) Tom Mayer
- ii) Secretary
- iii) 723 West Church Street, Box 368, Sandwich, Illinois 60548-0368
- iv) 815.786.7804
- v) 815.786.1805
- vi) tom.mayer@bmtillinois.com

e) *"tariff" and pricing issues*

- i) Tom Mayer
- ii) Secretary
- iii) 723 West Church Street, Box 368, Sandwich, Illinois 60548-0368
- iv) 815.786.7804
- v) 815.786.1805
- vi) tom.mayer@bmtillinois.com

f) *9-1-1 issues*

- i) Tom Mayer
- ii) Secretary
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- v) 815.786.1805
- vi) tom.mayer@bmtillinois.com

g) *security/law enforcement*

- i) Tom Mayer
- ii) Secretary
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- iv) 815.786.7804
- v) 815.786.1805
- vi) tom.mayer@bmtillinois.com

12. *Please attach evidence of the applicant's managerial and technical resources and ability to provide service. This may be in either narrative form, resumes of key personnel, or a combination of these forms.*

BMT Illinois is a local Internet Service Provider. The reason this application is made is because current law requires that any provider of Digital Subscriber Line (DSL) broadband Internet access in the state of Illinois also be a registered Local Exchange Carrier (LEC).

BMT Illinois is, as far as we can tell, qualified to offer Internet access. If additional requirements are needed to offer DSL, we are not aware of them industry-wide.

If there is some reason that we must also possess certain skills in the telephony field, we have none.

20. *If granted authority to operate as a local exchange carrier, will the applicant abide by the following 83 Illinois Administrative Code Parts: 705, 710, 720, 725, 735, 755, 756, 757, 770, and 772?*

_____ YES _____ NO (If no, please provide an explanation.)

Perhaps. We do not know how the application of these codes applies to Internet services.

21. Will the applicant sign and return membership forms to the Universal Telephone Assistance Corporation and the Illinois Telecommunications Access Corporation?

 YES NO

Perhaps. We do not know how this applies to Internet services.

22. Please attach evidence of applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service.

We do not know how the application of this information applies to Internet services.

23. Does Applicant utilize its own equipment and/or facilities?

 X YES X NO

Both YES and NO. The DSL specific equipment will be owned by BMT Illinois, but the lineshare infrastructure and co-location space are located inside the Incumbent Local Exchange Carrier (ILEC) [Verizon] Central Office (CO). Operation of the DSL equipment is done via "virtual co-location" and the operator is subject to agreement.

NOTES:

- BMT Illinois wishes to operate primarily as a Data Local Exchange Carrier (DLEC), which may or may not be a Telecommunications Carrier subclass that is recognized by the state of Illinois. However, it will operate as a Competitive Local Exchange Carrier (CLEC) in such a manner that it should be enabled to utilize current and future telephone system infrastructure to its operational advantage.

The use of telco/LEC infrastructure is to be used to reduce operating costs, and thus, customer costs, and will not be used to sell or re-sell telephone services to any customers. BMT Illinois has no desire to operate as a telephone service at this time and is not planning to operate as a telephone service in the future.

- At this time, BMT Illinois is not aware of any lineshare and co-location regulations that are current or pending in the state of Illinois. If process serves, those, too, would be regulated and enforced by the Illinois Commerce Commission and/or the Illinois Public Utilities Act.

Although BMT Illinois is at this time attempting to negotiate an agreement with its ILEC, BMT Illinois is not the incumbent, and is indeed a much smaller company than is the ILEC. This places BMT Illinois at a distinct disadvantage when attempting to negotiate a fair agreement.

Several areas in the United States have initiated fair space (co-location) and fair-use (lineshare) regulations that require an LEC to offer agreements that are calculated to be fair to both the LEC and a DLEC. These include stipulations that base co-location charges on the footage of the CO and the taxes of that CO compared to the footage of standard industry racks, and the implementation of \$0 lineshare agreements since the lines are already charged by POTS usage.

Whether or not the ICC attempts to implement standards such as these will determine whether small businesses such as BMT Illinois can compete against unfair pricing by large corporations.